

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

**Alexandria Division**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
	)	<b>Crim. No. 24-CR-84</b>
v.	)	
	)	
<b>NICHOLAS NOSEGBE,</b>	)	<b>Hon. Anthony J. Trenga</b>
	)	<b>Hearing: November 13, 2024</b>
<b>Defendant.</b>	)	

**DEFENDANT’S SUPPLEMENTAL SENTENCING MEMORANDUM**

Nicholas Nosegbe comes before the Court for sentencing after pleading guilty in this case pursuant to a plea agreement that contained a joint sentencing recommendation of 6 months of home incarceration. At the time of the originally scheduled sentencing hearing on September 11, 2024, Mr. Nosegbe had been residing at an Alexandria homeless shelter for more than 2 months. With no prospect of finding a known residence in which to serve 6 months of home detention, sentencing was continued approximately 60 days to explore the possibility of a 6-month halfway house placement for Mr. Nosegbe.

The Probation Office has informed the parties that the best option for halfway house placement for Mr. Nosegbe is a federal Residential Reentry Center (“RRC”) in Dallas, Texas, where Mr. Nosegbe used to reside and maintains his legal residence and where his wife currently resides. However, placement at the Texas RRC will take approximately 60 days to arrange once ordered by the Court. Mr. Nosegbe has now been living in an Alexandria shelter for 4 months;

he is required to leave this shelter by next Friday, November 15, 2024.<sup>1</sup> He presently has no clear option for housing for the next 60 days.

Mr. Nosegbe also recently lost his health insurance; his wife confirmed to undersigned counsel that she could no longer afford to pay for his insurance through her employment-based plan. Due to the loss of his health insurance, Mr. Nosegbe was not able to obtain the PET scan which had been scheduled for the end of October to monitor his cancer.

Mr. Nosegbe recognizes the seriousness of his wrongdoing and that it warrants punishment. He does not wish to delay service of his sentence any further. Presently, he has no place to live beyond Friday, November 15 and no health insurance. He hopes to return to Nigeria upon completion of the Court's sentence so that he can have a place to live and the help of family members to deal with his medical condition.

The defense acknowledges that we are bound by the plea agreement in this case and respectfully requests that the Court impose the parties' joint sentencing recommendation. The defense, however, cannot offer a plan to the Court for where Mr. Nosegbe will live while awaiting placement at the Texas RRC to fulfill a 6-month period of home incarceration. Should the Court determine that incarceration is a more practicable sentence given Mr. Nosegbe's personal circumstances described above, Mr. Nosegbe respectfully requests that the Court permit him to surrender on Friday, November 15, 2024, to begin service of a term of incarceration in the Court's discretion.

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<sup>1</sup> The shelter's policy limits stays to 90 days but granted an extension to Mr. Nosegbe so that he could remain there until his November 13 court date.

